



**North Dakota Emergency  
Response Commission  
PO Box 5511  
Bismarck, ND 58506-5511**

**State Emergency Response Commission Minutes**

**Commission  
Members**

Office of the  
Governor

Division of  
Homeland Security

Office of  
the State Fire  
Marshal

Division of State  
Radio

ND Health  
Department

State Highway  
Patrol

Office of  
Management  
and  
Budget

Office of  
The Attorney  
General

Workforce Safety  
& Insurance

Department of  
Agriculture

Department of  
Transportation

Office of the  
Adjutant General

Oil & Gas Division  
of Industrial  
Commission

ND Insurance  
Department

Dakota Plains  
COOP

Tesoro Refinery

ND Motor Carriers  
Association

The 106th meeting of the State Emergency Response Commission (SERC) was called to order by the State Emergency Response Commission (SERC) Chairman, Greg Wilz, on Wednesday, March 4, 2015 at 1:30 pm in the North Dakota Department of Emergency Services-Division of Homeland Security Conference Room, Building 35 Bismarck, North Dakota.

As the roll call was conducted, Chairman Wilz asked each member to introduce themselves and to identify the agency they represent. It was noted that a quorum was achieved; but the Attorney General's Office, Office of Management and Budget, Department of Transportation and the Division of State Radio were not represented.

**Committee Reports**

Chairman Wilz then mentioned that at the last SERC meeting he told SERC members that the agency was in the process of hiring a Hazardous Chemical Officer for the department and he was very pleased today to introduce members to Jeff Thompson. Jeff has accepted that position and there's a pretty extensive training program lined up for him over the next couple of months and he's going to be a great asset to the agency and he will be a great counsel for us here at the SERC. Wilz then asked Jeff to provide some information about his background.

Jeff related that he grew up in Buffalo, South Dakota on a cattle ranch. Went to college in Dickinson, Dickinson State University, and obtained a bachelor's degree out of there. As a summer job he started working fires for the Forest Service. Traveled around the country, turned that more into a passion. Joined the Dickinson Rural Fire approximately 13 years ago and is currently serving as their Assistant Chief. They are a pretty active department so there has been a lot of training that he's already been through. On the career side of things, he went a different route. He came out of the Forest Service and went to work for a company called Resolve Marine Group, which does hazard mitigation for shift work fires and shift work types of hazardous materials cleanups. He turned that into a career with an oilfield chemical distributor, Brenntag-

Pacific, which has in the last five years grown rather big in Dickinson. So he has had a lot of hands on chemical experience there as the oilfield started to grow, so with the two of them together, it's given him some experience so that should help the agency.

Chairman Wilz then had the guests attending the meeting introduce themselves. First to identify himself was Lynn Hartman, the Stark County LEPC Chair. Bill Fahlsing, Stark County Emergency Manager and lastly Karen Kempert, the Cavalier County Emergency Manager.

The next order of business was a review of the minutes from the last SERC meeting which was held on December 3, 2014 and a motion to approve those minutes. Kathleen Spilman representing the ND Motor Carriers Association identified an error in spelling. The error is on page 4, line 7 of those minutes. The correction was to change the word "par" to "part." Ken Astrup representing private industry, Dakota Plains Cooperative made a motion to accept the minutes as written with the exception of Ms. Spilman's note on the correct spelling on the word "part." The motion was seconded by Ms. Spilman and the motion passed.

Secretary DeBoer then provided copies of the ND Department of Emergency Services (NDDes) Reporting, Planning & Outreach Activities Quarterly report which was discussed.

DeBoer then went on to discuss the documentation in the folders provided to all SERC members and guests. The information in the committee report has been provided by the ND Department of Emergency Services (NDDes) grants section, training section and lastly the hazardous chemical preparedness and response program section.

Karen Hilfer the grants specialist for the Division of Homeland Security provided the following update. The 2014 grants have been closed as of the end of December. One of the current grants is for the ND Firefighter's Association. Karen also related that the Division of Homeland Security spent the funding for the 2014 Hazardous Materials Conference which was held in October of 2014. She went on to relate that she has talked to those who are grantees, and they have all indicated they have hired contractors and are in the process of starting their projects or are scheduling the meetings for their projects. Everyone seems to be on board with what they need to do. The new grant, which was announced February 1<sup>st</sup>, as you can see, the numbers changed just slightly as far as awarded this year. Training dollars are down just a little bit. On the planning side, Chairman Wilz indicated he wanted grantees focused on flow studies for their counties. Ms. Hilfer related that she is encouraging fire departments to begin to work with those facilities which are scheduling training for the personnel they have available on how they should handle spills, fires, etc.

Renee Loh, representing the ND Firefighters Association (NDFA) presented information

regarding training scheduled for North Dakota. She related that her agency had just gotten back from State Fire School and they had 760 firefighters that actually came to school and then with those that attended the rescue school, that's over 1,000 firefighters that had actually been trained. She continued and listed the new classes that were offered this year at State Fire School. Renee mentioned that she was very pleased that the Department of Emergency Services sent some of their staff out to assist and instruct. Some of our upcoming events will be their 131<sup>st</sup> State Convention in Jamestown. She went on to relate that they have a nationally known author, David Dotson, who wrote the book, "The Art of Reading Smoke." She went on to relate that for next year's State Fire School they are going to have Paul Combs, who's a world renowned artist and illustrator. Renee then mentioned that another thing that the ND Firefighter's Association will be doing is in October of 2015 they are actually going to be doing a State Fire School over in Fargo for those firefighters in the eastern portion of the state. They will be utilizing Cass County Fairgrounds.

### **Old Business**

Secretary DeBoer then presented information on hazardous materials incident maps. Based on discussions at previous SERC Meetings, it was determined that the members were looking for a map that would just show those hazardous materials incidents which reported that the spill/releases were not contained along with showing major transportation routes in the state. DeBoer continued and reported that the agency GIS Coordinator had created a larger map (approximately 42 x 30 inches) in size which showed those types of incidents. The map showed that the majority of the not-contained spill reports were in the northwest corner of the state where oil production is taking place.

Jeff Thompson then related that he has been doing analysis on hazardous materials spills. He related that he had obtained all of the numbers from 2013 up through February of 2015 which he is compiling on a spreadsheet in an attempt to look for trends. The flow in trends since December of 2014 when the oil crashed has decreased in spill reports. December was a 15% decrease, January had a 21% decrease and in February there was a 35% decrease in spill reports. Jeff continued and related that this could mean a lot of things. The agency will continue to monitor this issue and will see what can be learned from the trends. Is it just because there's more safety around or does it have to do directly with the decrease in oil activity, or both.

Chairman Wilz related that rig count was down in the state and fracking is not as prevalent as it has been. He went on to state that there are around 700 wells and some wells that have to be fracked in the Bakken and the oil companies have just kind of pulled away from them so there could be some correlation.

Chairman Wilz then provided an update on Oil Train Notices. Ray has indicated that we've

updated the charts and put them on the back of the most current reporting. I will tell the SERC that the media attention to this is just a non-issue. Kind of what we had expected that it was kind of a flash in the sand, hot item, and as soon as we started releasing, they just have totally backed off so we really haven't had any media requests for information. We have been fairly religious in getting the notices out as we receive them. In some cases, they'll come in and I'm out of town for a day and so unfortunately it's sitting in my inbox but generally, it's the first order of business, our goal is to get that information out to the emergency managers that have a need to know obviously, and more importantly that can share with their responders in their areas. Any questions regarding that? Okay.

### **New Business**

Let's move on to New Business and this is an opportunity for us again as a SERC to hear from a couple of the local emergency planning committees and on the docket first up is Cavalier County.

Karen Kempert, the Cavalier County Emergency Manager introduced herself and provided the following update on her LEPC. She related that her LEPC is made up of all of their responder groups. They have representatives from large cities and they also have representatives from their small towns. They have media on our LEPC, government representatives, and just one private industry. She went on to state that typically they meet once a year for the full LEPC and their responder groups. At these meetings they conduct training that they might be required and they also conduct training on specialty issues. Karen went on to state that the challenges that the Cavalier County LEPC has at the local level is probably government participation. They have a difficult time with this. The city and county representatives don't agree very often. What goes well, of course, is the planning. Like most LEPC's they have quite a few dedicated members that are very good and are committed to the LEPC.

Kathleen Spilman then asked Karen on a scale of 1-10, for the known hazards or potential incidents that occur within your boundaries, how would you rate your preparedness?

Karen responded with a "1" for awareness and a "2" for hazardous materials issues.

Kathleen then asked Karen, if there were one or two or more things that the SERC could be doing to support your LEPC, what would you suggest that the SERC do to help?

Karen responded with about the only thing she could think of at a local level is maybe more open lines of communication. Or, not even more open lines of communication but perhaps a way of knowing, as an example, from the SERC, information on what is occurring at the state level. What kind of resources are available to the locals. I don't know that everybody at the local level is aware of that.

Ms. Spilman then rephrased her original question. How well do you think your county, as a whole, is prepared to deal with an incident that could occur within your county? Not just the LEPC but the county's ability to respond? Karen responded with a "6".

Jeff Thompson then asked Ms. Kempert if the Cavalier County planning meetings, do they ever do any tabletop exercises? She replied that they do and if they have a scenario that they are really questioning how to handle or understand some part of it, they will do a tabletop exercise.

Curt Zimmerman representing Workforce, Safety and Insurance (WSI) then stated that Karen had mentioned that officials in government don't normally attend meetings. What type of officials would that be? Curt also related that Karen had mentioned that they only have one person from private industry on her LEPC. Has the LEPC approached or tried to get other people involved? Do they just say "no"?

Karen responded with stating that they do not have a lot of private industries that has anything to do with hazardous materials. They are all agriculture so she is pleased to have at least that one on her team.

Chairman Wilz then asked Karen if she was getting some participation from her LEPC and do they fully understand what their responsibilities are? Karen responded that all members have a copy of the LEPC Handbook that the state has provided.

Chairman Wilz then presented the next guests, Bill Fahlsing and Lynn Hartman from Stark County.

Bill Fahlsing, the Stark County Emergency Manager provided the following update about Stark County. Up until January, he was also the chairman of their LEPC. Lynn has taken over as the Chairman at the January meeting. Bill provided the following overview of what they have done so far. 2012 and 2013 they were a pretty active LEPC, meeting quarterly. He indicated that they did not meet in 2014. Looking at the reason, he related that most people were so busy. Most of his LEPC is made up of first responders and asking them to attend another meeting, trying to put the schedule together, was hard in 2014. They do have a fairly good selection of representation on the LEPC. Private industry, there are quite a few oil field companies. Baker Boy, (private industry) and the ethanol plant in Richardton. So they have got a really good mix between government agencies and private industries. So at their meeting in January, they tasked the LEPC with trying to have a meeting to develop their goals of what they want to accomplish with the LEPC. They really tasked them with two areas at this point. The first being, dividing the fire districts and giving the fire chiefs the responsibility of identifying what their primary hazards are in their districts. What they hope to

accomplish with that is to bring that to the LEPCs to identify what threats are in each district then they're going to sit down and look at their resources to see what they have available. At that point, they want to identify the gaps in their resources. In 2013 they conducted a flow study and they want to accomplish another study to see the differences from 2013 through now. They are interested in what has taken place within this two year time frame. To see how it's really changed in Stark County. So with that, he then turned it over to Lynn Hartman, who is the new chairman. He's got some very good direction and vision in speaking with other LEPCs and on what we hope to accomplish in Stark County.

Lynn Hartman then introduced himself. He indicated that he was a paramedic from Dickinson and he works as the administrative director for the ambulance service. Lynn went on to state that he is just starting as the chairman for the Stark County LEPC and he related that he thought Bill has done a great job at our LEPC. He mentioned that he was really happy with their last meeting. The attendance was good and he indicated that he was pleased with the responsiveness and the enthusiasm he saw. He also related that he is very optimistic, especially with some of the people that were there. Personnel from Dakota Prairie Refinery attended and they have a very active safety team and they are very interested in participating with the LEPC. They have related that they are happy to provide whatever help they can as we work at table tops or with full scale exercises. Lastly Mr. Hartman related that the Stark County Vice-Chair is actively involved with the LEPC.

Kathleen Spilman then asked Mr. Hartman and Bill Fahlsing on a scale of 1 to 10, how would you rate your county's preparedness to deal with incidents that you would expect to occur?

Bill Fahlsing replied with maybe a 7. As far as the preparedness, I don't feel confident right now. We have the Dickinson Fire Department and their original hazmat response team. Preparedness, he related that everybody knows what resources are available and he thought they are lacking just a little bit.

Ms. Spilman then asked, so if there's 1, 2 or 15 things the SERC could be doing for the LEPC, what would you ask for?

Bill responded, I would ask once we identify our gaps and our resources to assist with that.

Kathleen had a follow up question, have you seen any impact of lower oil price in the number of rigs being laid down in your part of the state?

Mr. Fahlsing replied with, yes. It has slowed down tremendously actually. The last few hazmat incidents that they've had, he could honestly say have been weather related.

Chairman Wilz thanked Karen, Bill and Lynn for taking the time to travel and meet with the

SERC and provide their updates.

Chairman Wilz then continued with New Business. If you recall from the last meeting I had mentioned that we had engaged in a contract to conduct oil train study for the State of North Dakota. The company, Witt O'Brien has committed to providing us with some initial findings, around crossover which we are expecting this week. I have seen some of the documentation that they have been working off of and I'm pretty impressed. I think when the documents become available, we will do our best to actually start deploying some of it even though it's in draft. Mr. Wilz then related that what he is trying to say if we get this thing in draft form, he would like to send it out to SERC members so they can look at what this study is eventually going to yield in more detail. They have completed a great number of individual interviews. They have combed the state and have talked to various officials. A lot of folks in various industries are really going to put together a pretty solid report for us to work off of into the future. So the other little update I would provide to you is legislatively. It's been kind of a less than normal active session for us. The number of bills we have been watching, we still have our budget though obviously in the hopper, and along with a couple of key agency bills, but for the most part, not a lot of them that have a direct impact on SERC. The agency did in fact testify against the idea that emergency managers should have immediate authority and access to hazardous material incident sites and that one did in fact fail in the first half of the session so it won't hit the crossover and there were a number of us who spoke against it. Ms. Spilman, was one of those who spoke for her industry. The session continues on and we'll see how it plays out for the next half here.

Secretary DeBoer then related that he had some information that he would like to share with the SERC. Mr. Thompson and Mr. DeBoer along with Kathleen Donahue from the Disaster Recovery Section will be traveling to Cooperstown in Griggs County on March 5<sup>th</sup> to do a presentation on LEPC duties, responsibilities, Tier 2 reporting and helping them with some hazardous mitigation documentation. Griggs County is trying to get their LEPC back up on its feet so we are invited for that. In conjunction with the Griggs County meeting, we have been invited to take a tour of the large propane plant and agronomy center in Hannaford. They've got over a million gallons of propane and large tonnage of granular fertilizers. Then on March 10<sup>th</sup> and 11<sup>th</sup>, Jeff, myself and Amy Anton, the DES Operations Chief will be going to Watford City to participate in a two day Tesoro pipeline exercise. They've got a bunch of new people in that area for Tesoro and this is the second part of their meeting for new personnel and they wanted DES involvement to provide evaluation and comments, and suggestions. Then on March 13<sup>th</sup>, Jeff and I have been invited to a LEPC meeting in

Stutsman County. The Haz-Chem Section is getting out and we're making contact with numerous personnel across the state.

Kathleen Spilman then asked if the SERC could go back to the train reports. She continued, that report #6 was the last one received from BNSF. In the absence of any further report, are we to assume that the movements have not increased or decreased by 25% since October of 14?

Chairman Wilz responded with, that is correct.

Ms. Spilman then asked, wasn't there just one out though? A report from BNSF that Secretary DeBoer sent out?

Chairman Wilz responded last week wasn't it, Ray? Monday? Last week Monday?

Kathleen replied, yeah, so that's not on here yet.

Secretary DeBoer then related that he thought it was Canadian Pacific (CP).

Ms. Spilman related It might have been CP and Chairman Wilz asked if it was CP.

DeBoer responded, if I did I apologize, I missed that. I don't remember seeing that although they may have provided it and he would look for that information.

Chairman Wilz stated, we will double check that and we will send out a corrected report.

Ms. Spilman then asked, are you, in your summarization, are you using an average Number. Are you averaging the ranges because they are all, both CP and BNSF, are using ranges? And I've seen that BNSF clarify what they're doing, is the ranges are based on one significant deviation in the traffic report so they have a bonafide mathematical basis for doing that.

Chairman Wilz responded with, I understand. I do believe the formula we're using is the averages of the ranges.

### **Adjourn**

The date for the 107th SERC meeting was set for June 10, 2015 at 1:30 p.m., at the ND Department of Emergency Services-Division of Homeland Security Conference Room, Building 35, Fraine Barracks, Bismarck, North Dakota. A back-up date of June 17<sup>th</sup>, 2015 was selected if the meeting scheduled for June 10th cannot be held.

A motion was made by Kathleen Spilman to adjourn, with a second from Curt Zimmerman. The 106rd SERC meeting adjourned at 2:15 p.m.

Respectfully submitted:

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Greg Wilz, Chairman